

JC943 U.S. PTO  
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PTO/SB/05 (08-00)

Applies for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCEPlease type a plus sign (+) inside this box  Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. ACU 109 DIV(2)

First Inventor Julie Straub

Title Porous Drug Matrices and Methods of Manufacture  
Thereof

Express Mail Label No. EL 690 662 580 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 41]  
(preferred arrangement set forth below)
 

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 4 ]

5. Oath or Declaration [ Total Pages 4 ]
 

- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 17 completed)
  - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
 

- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  paper
- c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  Power of  
(when there is an assignee)  Attorney

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Other: Check for \$355.00

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation  Divisional  Continuation-in-part (CIP)

of prior application No. 09,433,486

Prior application information:

Examiner, Webman, E.

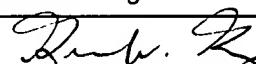
Group / Art Unit: 1617

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label  Correspondence address below

Name	Patrea L. Pabst Arnall Golden & Gregory, LLP			
Address	2800 One Atlantic Center 1201 West Peachtree Street			
City	Atlanta	State	GA	
Country	United States	Telephone	(404) 873-8794	
			Zip Code	30309-3450
			Fax	(404)873-8795

Name (Print/Type)	Kevin W. King	Registration No. (Attorney/Agent)	42,737
Signature			Date Nov. 3, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

ACU 109 DIV(2) 20435/42

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# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$355.00)

Complete if Known	
Application Number	Divisional of 09/433,486
Filing Date	November 3, 2000
First Named Inventor	Julie Straub
Examiner Name	
Group Art Unit	
Attorney Docket No.	ACU 109 DIV(2)

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 01-2507

Deposit Account Name Arnall Golden &amp; Gregory

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

SUBTOTAL (1) (\$355.00)

## 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	13	-20** = 0	355.00
Independent Claims	1	- 3** = 0	
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203
102	80	202
104	270	204
109	80	209
110	18	210
		9
		Claims in excess of 20
		Independent claims in excess of 3
		Multiple dependent claim, if not paid
		** Reissue independent claims over original patent
		** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	390	216	195
117	890	217	445
118	1,390	218	695
128	1,890	228	945
119	310	219	155
120	310	220	155
121	270	221	135
138	1,510	138	1,510
140	110	240	55
141	1,240	241	620
142	1,240	242	620
143	440	243	220
144	600	244	300
122	130	122	130
123	50	123	50
126	240	126	240
581	40	581	40
146	710	246	355
149	710	249	355
179	710	279	355
169	900	169	900

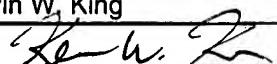
Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Kevin W. King	Registration No. (Attorney/Agent)	42,737	Telephone	(404) 873-8596
Signature				Date	Nov. 3, 2000

WARNING: Information in this form may become public. Credit card information should not be included in this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC860 U.S. PTO  
09/706045  
11/03/00



Applicants: Julie Straub, Howard Bernstein, Donald E. Chickering, III, Sarwat Khattak, and Greg Randall

Serial No.: Divisional of U.S.S.N. 09/433,486 Express Mail Label No.  
EL 690 662 580 US

Filed: November 3, 2000 Date of Deposit:  
November 3, 2000

For: POROUS DRUG MATRICES AND METHODS OF MANUFACTURE  
THEREOF

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR FILING A DIVISIONAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

Sir:

Pursuant to 35 U.S.C. § 21(a), as amended by Public Law 97-247, and 37 C.F.R. §§ 1.10 and 1.53(b), applicants enclose for filing the new divisional patent application entitled "*Porous Drug Matrices and Methods of Manufacture Thereof*" by Julie Straub, Howard Bernstein, Donald E. Chickering, III, Sarwat Khattak, and Greg Randall, which is a divisional of pending prior application U.S. Serial No. 09/433,486 filed November 14, 1999, which claims the benefit of U.S. provisional application Serial No. 60/136,323 filed May 27, 1999, and U.S. provisional application Serial No. 60/158,659 filed October 8, 1999. The application includes 1 page of abstract, 35 pages of specification, 5 pages of claims, 4 sheets of formal drawings, and a copy of the executed Declaration from prior application U.S. Serial No. 09/433,486.

Divisional of U.S.S.N.: 09/433,486  
"Porous Drug Matrices and Methods for Manufacture Thereof"  
By: Julie Straub, Howard Bernstein, Donald E. Chickering, III,  
Sarwat Khattak, and Greg Randall  
Express Mail Label No.: EL 690 662 580 US  
Date of Deposit: November 3, 2000  
**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

A Preliminary Amendment and an Information Disclosure Statement are enclosed.

Also enclosed from prior application U.S.S.N. 09/433,486 are copies of the (1) executed Statement Under 37 C.F.R. § 3.73(b) by Acusphere, Inc.; and (2) Assignment from Julie Straub, Howard Bernstein, Donald E. Chickering, III, Sarwat Khattak, and Greg Randall to Acusphere, Inc., recorded on December 27, 1999, at Reel 010511, Frame 0411.

This divisional application is being filed in response to a Restriction Requirement made in prior application U.S. Serial No. 09/433,486, to prosecute non-elected claims. Please preliminarily amend the application in accordance with the Preliminary Amendment.

Submitted with the new application are a (1) check in the amount of \$355.00 to cover the filing fee for a small entity; (2) Fee Transmittal (PTO/SB/17); and (3) Utility Patent Application Transmittal (PTO/SB/45).

This application is entitled to small entity status pursuant to 37 C.F.R. § 1.27. It is believed that \$355.00 is the proper filing fee for a small entity, as the application includes one independent claim and a total of thirteen claims after entry of the enclosed Preliminary Amendment. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate of this letter.

Pursuant to 37 C.F.R. § 1.63(d), the copy of the executed Declaration included in the new application is a copy of the executed Declaration filed in parent application Serial

Divisional of U.S.S.N.: 09/433,486  
"Porous Drug Matrices and Methods for Manufacture Thereof"  
By: Julie Straub, Howard Bernstein, Donald E. Chickering, III,  
Sarwat Khattak, and Greg Randall  
Express Mail Label No.: EL 690 662 580 US  
Date of Deposit: November 3, 2000  
**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

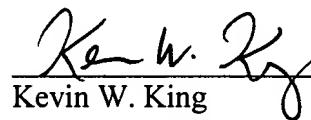
No. 09/433,486, to which the new application claims benefit. The power of attorney in the prior application is to Patrea L. Pabst, Registration No. 31,284. The inventorship for the claims in the new application is the same as in parent application Serial No. 09/433,486.

This application is being filed on November 3, 2000, by mailing the application to the Box Patent Application, Assistant Commissioner of Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10. The Express Mail Label Number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.  
ARNALL GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309-3450

Respectfully submitted,

  
\_\_\_\_\_  
Kevin W. King  
Reg. No. 42,737

Date: November 3, 2000  
ARNALL, GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3450  
(404) 873-8596  
(404) 873-8597 (fax)

Divisional of U.S.S.N.: 09/433,486  
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**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this paper and any documents referred to as attached or enclosed are being deposited with the United States Postal Service on this date, November 3, 2000, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Number EL 690 662 580 US addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Chandra Russell  
Chandra Russell

Date: November 3, 2000